



**COUNTY OF SAN LUIS OBISPO**  
**MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION**

**ENVIRONMENTAL DETERMINATION NO. ED09-168      DATE: July 22, 2010**

**PROJECT/ENTITLEMENT:** Public Works –Old Los Berros and Sand Canyon Culvert Relining and Sand Canyon Flap Gate Replacement Project, 300354 + 3000355

**APPLICANT NAME:** County of San Luis Obispo, Department of Public Works  
**ADDRESS:** County Government Center, Room 207  
San Luis Obispo, CA 93408

**CONTACT PERSON:** Katie Drexhage, Environmental Programs Division **Telephone:** (805) 781-4469

**PROPOSED USES/INTENT:** A request by the County of San Luis Obispo, Department of Public Works to reline culverts and replace flap gates on the Arroyo Grande Creek levee at the Old Los Berros confluence and the Meadow Creek confluence (aka: Sand Canyon) in the community of Oceano. The project would result in a temporary disturbance of approximately 0.0255 acre and a permanent disturbance of 0.0026 acre.

**LOCATION:** Both sites consist of existing flood control facilities which would be maintained and upgraded. The proposed project is within the Public Facilities land use category in the South County Coastal planning area, Fourth Supervisorial district.

**LEAD AGENCY:** County of San Luis Obispo  
Department of Planning & Building  
County Government Center, Room 310  
San Luis Obispo, CA 93408

**OTHER POTENTIAL PERMITTING AGENCIES:**

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT ..... 4:30 p.m. on August 5, 2010**  
**(Circle one) 20-DAY 30-DAY PUBLIC REVIEW PERIOD begins at the time of notice publication**

**Notice of Determination      State Clearinghouse No. \_\_\_\_\_**

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ Lead Agency  
☒ Responsible Agency approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Title

Date

Public Agency

**Old Los Berros and Sand Canyon Culvert Relining and Sand  
Canyon Flap Gate Replacement on the Arroyo Grande Creek  
ED09-168 / WBS 300354 + 300355**

**MITIGATED NEGATIVE DECLARATION, NOTICE OF DETERMINATION, &  
INITIAL STUDY**

July 16, 2010



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
ENVIRONMENTAL & RESOURCE MANAGEMENT DIVISION**

County File Number: ED09-168 (300354 + 300355)

SCH Number: \_\_\_\_\_

**COUNTY DEPARTMENT OF PUBLIC WORKS  
OLD LOS BERROS AND SAND CANYON CULVERT RELINING AND FLAP GATES  
REPLACEMENT PROJECT  
COUNTY OF SAN LUIS OBISPO  
MITIGATED NEGATIVE DECLARATION & INITIAL STUDY**

Abstract

A proposal by the County of San Luis Obispo, Department of Public Works to reline culverts and replace flap gates on the Arroyo Grande Creek levee at the Old Los Berros confluence and the Meadow Creek confluence (aka: Sand Canyon) in the community of Oceano. Both sites consist of existing flood control facilities which would be maintained and upgraded. The proposed project is within the Public Facilities land use category in the South County Coastal planning area, Fourth Supervisorial district.

Comments on this document should be sent to Katie Drexhage, County Department of Public Works, County Government Center, San Luis Obispo, CA 93408.

The following persons may be contacted for additional information concerning this document:

Katie Drexhage, Environmental Programs Division  
or  
Eric Laurie, Project Manager  
County Department of Public Works  
County Government Center, Room 207  
San Luis Obispo, CA 93408  
(805) 781-4480

This proposed Mitigated Negative Declaration has been issued by:

7.13.2010  
Date

Ellen Carroll  
Ellen Carroll, Environmental Coordinator  
County of San Luis Obispo

The project proponent, who agrees to implement the mitigation measures for the project, is:

7/13/10  
Date

Paavo Ogren  
Paavo Ogren, Director of Public Works  
County of San Luis Obispo



**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

(ver 2.1) Using Form

**Project Title & No.** County Public Works - Old Los Berros and Sand Canyon Culvert Relining and Sand Canyon Flap Gate Replacement Project; ED09-168 (300354 + 300355)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Katie Drexhage, Environmental Resource Specialist

Prepared by (Print)

Signature

6/10/10

Date

Ellen Carroll, Environmental Coordinator

Reviewed by (Print)

Signature

(for)

Date

### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 200, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

## **A. PROJECT**

### **DESCRIPTION:**

Request by the San Luis Obispo County Department of Public Works (County) to reline culverts and replace flap gates on the Arroyo Grande Creek levee at two locations. The project includes insertion of new plastic sleeve inside existing culverts in two locations (65 feet and 60 feet in length respectively), and the replacement of deteriorated flap gates in one of those locations. Construction staging, sediment removal and potential creek dewatering will occur as necessary to access the sites. One project site is located where Old Los Berros Creek meets Arroyo Grande Creek, south of the Oceano Airport. The other site is located where Meadow Creek meets Arroyo Grande Creek (aka: Sand Canyon), approximately 200 feet south of Laguna Drive. Both sites are within the community of Oceano, in the San Luis Bay (coastal) Planning Area. Approximately 0.0026 acre will be permanently disturbed and approximately 0.0255 acre will be temporarily disturbed by project activities.

#### *Relining of Culverts:*

Relining of the culvert interior is necessary to maintain the integrity of each culvert. Since the culverts were installed approximately 50 years ago, minor peeling of the existing lining and minor corrosion is expected. There are two culverts at the Sand Canyon site, side by side, and one at the Los Berros site.

It is anticipated that relining of the culvert interiors will be done using SNAP-TITETM lining system. The lining system is comprised of HDPE pipe sections that snap together. These round smooth bore plastic pipe culverts will be placed inside the existing corrugated metal pipes (CMP) which currently pass through the levee that protect the surrounding areas from inundation during peak flow events. The existing CMP culverts are oval in shape with dimensions of 42 inches high and 72 inches wide, or an equivalent 60 inch diameter circular pipe. A 48-inch diameter liner, which will be squashed to match the interior shape of the existing pipes, is recommended for this pipe rehabilitation project. The installation of the proposed lining system will create a void that will be filled by concrete grouting of the annular space. No equipment is anticipated to be needed within the creek for the proposed work. All heavy equipment will work from the top of the existing levee. The grouting process involves creating a seal at each end with vents and injection points established for the grouting process. Barrier protection will be established at each end to contain any excess concrete by isolating the work area.

Both projects are located on a County-maintained levee road and most work will be accomplished from the road or the top of the bank. No heavy equipment will enter the creek. The primary staging areas for these projects will be at the County airport.

*Removal and Replacement of Flap Gates:*

The flap gates are essential to allow flows from the Oceano Lagoon (fed by Meadow Creek) to discharge to the Arroyo Grande Creek and prevent high flows in the creek from back flowing into the lagoon. If storm flows collecting in the lagoon are not allowed to discharge to the creek and/or high flows from the creek fill up the lagoon, the lagoon may overflow and flood the adjacent residential neighborhoods.

The cast-iron flap gates were installed with the original structure and are in desperate need of replacement. Over the years, the flap gates have rusted so that they do not function as they are intended. This model is often blocked open by sand or debris which causes back flow through the culvert and flooding of the community. The County maintenance crews have made minor repairs and modifications to keep them operational. In recent years, the flap gates have had to be manually opened and closed because they no longer swing freely, which required crews to conduct frequent surveillance and inspection of the facility. The most recent inspection found that the chains and wheel installed to manually open the flap gates had rusted and broken. The culvert and flap gate replacements will assist with flood control in the community of Oceano.

The proposed project is to replace the two existing cast-iron flap gates with two new rubber duckbill type check valves. Rubber duckbill type check valves are recommended to be installed rather than flap gates, as were originally installed, because of the following features:

- Eliminate backflow and seal around entrapped solids
- Maintenance free operation with no mechanical components that can corrode or seize
- Will open with as little as 1 inch water column
- Non-plugging

The new rubber duckbill type check valves will be installed directly onto the existing concrete headwall by way of a steel backing plate. The existing oval cross section culvert (42 inches by 72 inches) is equivalent to a 60 inch circular cross section duckbill valve. Since the existing headwall is only 60 inches high, one foot of concrete will be added to the top of the headwall above each outlet opening to allow the backing plate for the new duckbill valves to attach completely and form water tight seals with the existing headwall. Mounting the backing plates will involve concrete drilling, bolt setting, and epoxy. The rubber duckbill valves will be clamped onto the backing plate. It is anticipated that a crane will be used from the top of the levee to move and place the backing plate and the rubber duckbill type check valves.

No equipment is anticipated to be needed within the creek for the proposed work. Some minor sediment removal by "scoop and lift" methods will likely need to occur to properly install the duckbills.

Both project sites may need to be dewatered to conduct culvert relining and flap gate replacement activities. If so, an area would be dewatered on either side of the levee at the project site using sandbags and a submersible pump(s). Clean, non-turbid water will be returned to the creek or lagoon downstream and/or upstream of the dewatered zone. It will either flow overland through undisturbed riparian vegetation (if it can be accomplished without causing erosion), or returned via hose. Turbid water will be detained in a storage basin until such time that it is settled, and then it will be returned to the creek channel as abovementioned.

It is anticipated that the project will take approximately 30 days. The flap gates replacement aspect of the project will take approximately 15 days at each site. It will take approximately 5 days to conduct relining activities at each culvert. The Sand Canyon site will be accessed via the County airport property. The Old Los Berros site will be accessed via Silver Spur Place and 3<sup>rd</sup> Street on the south levee. Work will occur during the dry season (typically June 1 – November 1). All staging will occur within County Right-of-Way or on the airport property.

All work would be conducted from the top of the levee. Estimated sediment removal amounts and approximate areas to be dewatered can be found in Figure 1, below.

Culvert Name	Work Activity	Size	Length	Location
Sand Canyon	New plastic pipe sleeve inserted into the existing 42 x 72 inch oval culvert	48 inches diameter	65 feet	Across Arroyo Grande Creek levee at the Meadow Creek channel
Sand Canyon	Replace cast-iron flap gates with new rubber duck-bill type check valves	60 inches in diameter	Duckbill extends 7.33 ft from headwall	On the lagoon-side of the levee at the confluence of Meadow Creek and Arroyo Grande Creek
Sand Canyon	Sediment removal activities (scoop & lift); potential dewatering	20 yds <sup>3</sup> in front of flap gates, 12 yds <sup>3</sup> at trash screen; dewater up to 29.3 yds <sup>3</sup> on both sides of levee	N/A	On both sides of the levee at the confluence of Meadow Creek and Arroyo Grande Creek lagoon.
Old Los Berros Creek	New plastic pipe sleeve inserted into the existing 42 inch culvert	36 inches diameter	60 feet	Across Arroyo Grande Creek levee at the old Los Berros channel
Old Los Berros Creek	Potential dewatering	dewater up to 29.3 yds <sup>3</sup> on both sides of levee	N/A	On both sides of the levee at the confluence of Old Los Berros Creek and Arroyo Grande Creek.

**Figure1: Project Components**

ASSESSOR PARCEL NUMBER(S): N/A; County road R-O-W

SUPERVISORIAL DISTRICT # 4

## **B. EXISTING SETTING**

PLANNING AREA: South County (Coastal), Oceano

LAND USE CATEGORY: Public Facilities

COMBINING DESIGNATION(S): Local Coastal Plan/Program, Flood Hazard, Wetlands  
, Sensitive Resource Area

EXISTING USES: County-maintained roadway and associated flood control facilities

TOPOGRAPHY: Nearly level

VEGETATION: Ruderal , riparian , wetland

PARCEL SIZE: Not applicable

## SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Agriculture airport, state highway	<i>East:</i> Agriculture; railroad state highway
<i>South:</i> Agriculture;	<i>West:</i> Recreation; undeveloped

### C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Arroyo Grande Creek levee is located in County Right-of-Way and extends west from the base of the Lopez Dam to the State-owned beach, approximately 13 miles. The area north of the levee contains Old Los Berros Creek, residential housing, light industrial, Oceano Community Park, Meadow Creek, and the County-operated Oceano airport. The area south of the levee is mostly agricultural with some residential (single-family residences). A fair amount of trespassing occurs on a regular basis by pedestrians walking the levee for leisure or recreational purposes. The project improvements will disrupt pedestrian access on the north side of the levee at both project sites.

The flap gate structure at Sand Canyon will have approximately 1 foot of concrete added to it in order to support the new duckbill type valves. These valves and the structure are located in the side of the levee, facing the channel, below the view from the levee. The current head wall and flood gates at the Sand Canyon site are already a part of the landscape, and because of their small size and limited visibility, do not substantially detract from the aesthetics of the area.

The County proposes to implement revegetation and restoration measures in order to mitigate for any loss of vegetation along the Arroyo Grande Creek levee and in order to prevent erosion. Neither the culvert relining nor the flap gate replacements are expected to disrupt the surrounding aesthetics. Temporary impacts associated with this construction are not considered significant.

**Impact.** The culvert relining at both sites will take place inside of the existing levee and, once work is complete, no visible impacts will remain. The new duckbill-type valves at the Sand Canyon site will require an additional one-foot on concrete to be added to the existing head wall and the new duckbill type valve will extend approximately 7 feet into the channel. The project site is located in an area that is not very visible from the beach (south of the site) due to natural topography and vegetation.

**Mitigation/Conclusion.** No significant impacts to aesthetics are anticipated, and no mitigation measures are necessary.

## 2. AGRICULTURAL RESOURCES

- *Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project sites are located in an area of Class II Prime Farmland Soils. The existing earthen levee is constructed of compacted impervious fill. Arroyo Grande Creek is located in the southern coastal portion of San Luis Obispo County. For over a century the Arroyo Grande Valley (the upper valley) and the La Cienega Valley (the lower valley) have been famous for growing high-quality vegetables because of the mild climate and rich soil. Excessive erosion throughout the watershed threatens continued viability of farming in the lower valley. The Arroyo Grande Creek Flood Control Project was completed in 1961 to protect homes and farmland in La Cienega Valley. The main feature of the project is the Arroyo Grande Creek levee system. Although agricultural lands surround the Arroyo Grande Creek levee, the project will not impact agricultural resources. All work will occur within the County Right-of-Way on top of the existing levee. The Sand Canyon site will be accessed via the County-operated Oceano airport property. The Old Los Berros site will be accessed via Silver Spur Place and Creek Road on the south levee. Silver Spur is a County maintained road. Creek Road is a dirt road leading onto the top of the levee. The County maintains a flood control easement on the property where Creek Road is located for maintenance purposes. Additionally, all staging will occur within County Right-of-Way or on the airport property. A referral was sent to the County Agricultural Commissioner's Office. The Agricultural Commissioner did not have any comments.

**Impact.** No impacts to agricultural resources are anticipated.

**Mitigation/Conclusion.** No significant impacts to agricultural resources are anticipated, and no mitigation measures are necessary.

## 3. AIR QUALITY - *Will the project:*

Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
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3. AIR QUALITY - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts may result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD). San Luis Obispo County is currently in non-attainment status for particulates (PM10) and ozone precursors (hydrocarbons and oxides of nitrogen). The APCD has developed a list of construction period air quality mitigation measures which are to be appropriately applied to all projects through the environmental review process.

The APCD submitted comments via electronic mail (5/24/10) on the proposed project. The below information and measures should address their comments.

**Impact.** The construction phase of the proposed project will result in additional air emissions. These emissions are typically generated by construction related dust, the operation of construction equipment, and the production and transportation of construction materials such as asphalt and concrete. Standard specifications for all county road construction contracts require that "The Contractor shall comply with all air pollution control rules, regulations, ordinances and statutes which apply to any work performed pursuant to the contract, including any air pollution control rules, regulations, ordinances and statutes specified in Section 11017 of the Government Code. Unless otherwise provided in the special provisions, material to be disposed of shall not be burned, wither inside or outside the highway right-of-way." However, because San Luis Obispo County is currently in non-attainment status for particulates (PM10) and ozone precursors (hydrocarbons and oxides of nitrogen), the Air Pollution Control District has developed a list of construction period air quality mitigation measures which are to be appropriately applied to all projects through the environmental review process. Application of standard mitigation measures should reduce air quality impacts to a less than significant level.

Additionally, the project will not result in the demolition of asbestos-containing materials. The project will disturb an existing earthen levee. This levee is made-up of fill material that does not contain asbestos or naturally occurring asbestos (e.g., serpentine rock). The project will not result in hydrocarbon contaminated soil. To prevent hydrocarbon contaminated soil, all fueling and

maintenance of vehicles and other equipment and staging areas shall occur at least 20 meters from any riparian habitat or water body. Additionally, prior to the onset of work, the County shall ensure that the contractor has prepared a plan to allow a prompt and effective response to accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

#### **Mitigation/Conclusion.**

[AQ1] During construction/ground disturbing activities, the contractor shall implement the following particulate (dust) control measures. These measures will be included in the contract special provisions. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible.
- b. Prevent airborne dust from leaving the site.
- c. Control dust from all dirt stock pile areas.
- d. Implement revegetation (i.e., hydro seeding) as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be subject to dust control measures (watering, etc.) or shall be sown with a fast germinating native grass seed and watered until a temporary vegetative cover is established.
- f. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- g. Ensure that trucks and equipment leaving the site do not carry soil material onto adjacent paved roads; clean adjacent paved roads at the end of each day if visible soil material is carried from the site onto those roads.

#### **4. BIOLOGICAL RESOURCES - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**4. BIOLOGICAL RESOURCES -**  
***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.**

The Sand Canyon site is located in the lower reach of Arroyo Grande creek (near the creek's outlet to the ocean), which support wetlands adapted to the brackish condition of this portion of the creek (aka: Arroyo Grande Creek Lagoon); stands of bulrush (*Schoenoplectus sp.*) and cattail occur along the creek edges as well as in large masses mid-stream. Willows, ruderal grasses, and ice-plant line the outer edges of either side of the levee where the flap gates and culvert at the Sand Canyon project site are located.

The Old Los Berros site is surrounded by a thick riparian willow canopy. Unlike the Sand Canyon site, the Old Los Berros site is not located in a brackish wetland; rather, it is unique in that late season flows continue due to releases from Lopez Dam, in spite of lack of rainfall and flows into the creek. Non-native grasses line both banks of this site.

**METHODOLOGY**

The California Natural Diversity Data Base (CNDDDB) was accessed for information on sensitive plant, invertebrate, and wildlife species known to occur in the action area and its vicinity (CNDDDB 2009). A search radius of the USGS Oceano Quad and 7 surrounding Quads was used for the CNDDDB. Biological studies have been completed for other on-going projects along the Arroyo Grande Creek including the Arroyo Grande Creek Habitat Conservation Plan and Arroyo Grande Creek Channel Waterways Management Program. Information from these draft documents also assisted in the preparation of the Biological Assessment (County 2010).

A site survey was conducted by John Farhar, SLO County biologist, on July 10, 2008. The assessment included the areas that would be directly affected by the work and areas immediately upstream and downstream from the culvert relining sites. Vegetative characteristics, including habitat types and plant communities in and surrounding the action area, were documented. The sites were also assessed for sensitive plant, invertebrate, and wildlife species and habitats identified during the literature review. Photographs of the sites appear in Attachment B and a species list is provided in Attachment C of the Biological Assessment (County 2010). Dominant plant species present in the action area were identified if possible and plant communities were mapped characterized according to the classification system of Holland (1986). A wildlife survey consisting of walking meandering transects was performed in and adjacent to the action area. The survey focused on areas that could provide suitable habitat for sensitive species while searching for wildlife and their signs, such as burrows, tracks, and nests.

Sensitive species include all federally and state-listed endangered and threatened species, candidates, species proposed for listing, state species of concern, and species considered rare by the California Native Plant Society (CNPS). A sensitive species was considered a potential inhabitant of the action site either if its known geographical distribution encompassed part of the action site or if its distribution within the 7 surrounding Quads of the site and general habitat requirements (e.g., roosting, nesting, or foraging habitat, specific soil type, permanent water source) were present. A list

of sensitive species with the potential to occur was compiled, and the habitat requirements of each species were considered and can be found in Appendix A of the Biological Assessment prepared for the project (San Luis Obispo County Public Works Dept.; 2010).

Special status wildlife species include those proposed for listing, candidates for listing, or those listed by either the Federal or State resource agencies as threatened or endangered. Special status wildlife species also includes State species of special concern. In addition, all raptor nests are protected by Fish and Game Code, and all migratory birds are protected by the Federal Migratory Bird Treaty Act.

Special status wildlife species were evaluated for their known and/or potential presence in the project area as described in the Biological Assessment prepared for the project (County 2010). Special status wildlife species that are known or likely to inhabit the project area are described briefly below.

Several other special status wildlife species are known to occur within 10 miles of the general study area vicinity, but are not expected to occur on site because the site lacks suitable habitat. For example, several vernal pool crustaceans that are federally or state listed occur only in vernal pools, which do not occur on or adjacent to the study area. Other species are associated with the extensive dune habitats located south and west of the study area and the coastal strand habitats (e.g., western snowy plover and brown pelican), but are not associated with the riparian habitats present in the study area. Wide ranging species such as bald eagle and condor do not occur in areas of dense urban development that exists on the north side of Arroyo Grande Creek, and are not expected to occur in the study area.

The California Department of Fish and Game provided comments on the proposed project regarding potential sensitive species and habitats that should be evaluated. In addition to the species named in this document, CDFG included western snowy plover (*Charadrius alexandrinus nivosus*), San Luis Obispo monardella (*Monardella frutescens*), Gambel's water cress (*Nasturtium gambelii*), Central Dune Scrub, California brackishwater snail (*Tryonia imitator*), Oso Flaco robber fly (*Ablautus schlinger*), and Central Foredunes as sensitive species or habitats that should be analyzed. Western snowy plover, San Luis Obispo monardella, and Gambel's water cress were evaluated in the Biological Assessment prepared for the project. Below is an excerpt from Appendix A which outlines the analysis.

**Taken from Appendix A (County 2010)**

SPECIES	HABITAT DESCRIPTION	HABITAT PRESENCE/ABSENCE	DETAILS
<i>Charadrius alexandrinus nivosus</i> western snowy plover	Sandy beaches, salt pond levees & shores of large alkali lakes; needs sandy, gravelly or friable soils for nesting.	Absent; additionally, proposed critical habitat not present in the project area.	Not expected due to lack of suitable habitat. Closest occurrence is approximately 5 miles south of the proposed project sites.
<i>Monardella frutescens</i> San Luis Obispo monardella	Coastal dunes, coastal scrub; stabilized sand of the immediate coast.	Absent	Not expected due to lack of suitable habitat. Closest occurrence approx. 3 mi south of project sites.
<i>Nasturtium gambelii</i> Gambel's water cress	Marshes and swamps; freshwater and brackish marshes at the margins of lakes and along streams, in or just above the water level.	Absent	Not expected due to lack of suitable marsh habitat. Closest occurrence approx. 2.25 mi south of project sites.

The Sand Canyon and Old Los Berros project sites are located in disturbed areas on top of a man-made earthen levee. Central Dune Scrub and Central Foredunes may be located near the project sites but neither habitat type will be affected by project activities. All staging and access will be via existing roads. Refer to the "Setting" section under Agricultural Resources for more information regarding staging and access (pg. 6).

The California brackishwater snail (*Tryonia imitator*) has been found at the mouth of the Arroyo Grande Creek lagoon. This species is found only in permanently submerged areas. Both project sites are typically inundated with water throughout the year. However, work would occur during the dry season and it is anticipated that the Sand Canyon site will not have much, if any, water. If water is present, dewatering activities will take place. The snail is not State or Federally listed, nor is it a Species of Special Concern. Any impact to this species would be minor in nature and, therefore, no mitigation measures are proposed.

The Oso Flaco robber fly (*Ablautus schlinger*) prefers sand dunes which are not within either project site. The project sites are located near sand dunes; however, sand dunes will not be disturbed as work activities, staging, and access will all occur from the top of the earthen levee or via existing roads.

## RESULTS

The Arroyo Grande Creek provides habitat for three federally listed species: California red-legged frogs (*Rana aurora draytonii*); steelhead trout, South Central California Coast ESU, (*Onchorynchus mykiss*); and tidewater gobies (*Eucyclogobius newberryi*). The creek is critical habitat for steelhead. Additionally, the creek provides habitat for one State species of special concern: southwestern pond turtle (*Actinemys marmorata pallida*). Other species of concern that have the potential to use the creek for habitat include the two-striped garter snake (*Thamnophis hammondi*) and coast range newt (*Taricha torosa torosa*). Arroyo Grande Creek is within the Oceano Hydrologic Sub-area, 331031, of the Estero Bay Hydrologic Unit, 3310, of critical habitat for steelhead (70 FR 52488 - 52627).

Previous sediment removal and vegetation trimming also limits the habitat value for wildlife species that are less sensitive to adjacent human uses, but still need dense vegetative cover for nesting (e.g., Cooper's hawk, yellow warbler), and the study area is not expected to support these species.

**Impact.** The project will result in the temporary disturbance of ruderal vegetation along the levee. Some willows may be trimmed in order to access either project site. No trees will be removed. Both project sites may require dewatering.

Because all three species have been identified in or near the project sites, the proposed project may affect, but is not likely to adversely affect the tidewater goby, south-central California coast steelhead, and California red-legged frog. Additionally, the project may affect southwestern pond turtles, coast range newts, and two-striped garter snakes if they are present.

Appropriate project timing and site dewatering would minimize potential adverse effects to these species and would reduce temporary impacts to their habitats. Installation of culvert linings and the replacement of flapgates at Sand Canyon are not expected to inhibit passage of tidewater goby or steelhead within Arroyo Grande Creek, provided that instream work is limited to the appropriate construction time periods. With the implementation of avoidance and minimization measures such as preconstruction surveys and dewatering activities, this project will have minimal effect on listed species and their habitat. Bank stabilization work and restoration will likely have a positive net effect on biological resources in the area. No adverse cumulative effects on biological resources are anticipated to occur as a result of this project.

Adverse modification of critical habitat is defined as a "direct or indirect alteration that appreciably diminished the value of critical habitat for both the species survival and recovery." The temporary impacts associated with this project are not anticipated to result in the adverse modification of steelhead critical habitat. Avoidance and minimization measures proposed will reduce the potential for the project to permanently impact habitat within/near the project sites.

With the implementation of avoidance and minimization measures such as preconstruction surveys and dewatering activities, this project will have minimal effect on listed and sensitive species and their habitat.

#### **REGULATORY REQUIREMENTS**

The flood control facilities improvement project sites fall within the regulatory jurisdiction of the U.S. Army Corps of Engineers (Corps), California Regional Water Quality Control Board and California Department of Fish and Game. Prior to commencement of work within the stream bed and banks, permits from these agencies must be secured. Additionally, due to the potential impact to federally listed species, formal consultation with the National Marine Fisheries Service (NMFS) and/or the U.S. Fish and Wildlife Service (USFWS) may occur if the Corps deems it necessary.

Because the project is located in the Coastal Commission's original jurisdiction, a Coastal Development Permit will be required by the Coastal Commission after it has cleared the County's process. The project will require review for consistency with the state coastal program for wetland jurisdiction.

**Mitigation/Conclusion.** The following mitigation measures will reduce the identified biological impacts to a level of insignificance.

[BR-1] Prior to construction, the County shall obtain all necessary permits, approvals, and authorizations from jurisdictional agencies. These may include, but may not be limited to: (1) Army Corps of Engineers, Section 404 Nationwide Permit 43; (2) Regional Water Quality Control Board, Section 401 Water Quality Certification; and (3) the California Department of Fish and Game (CDFG), Section 1602 Streambed Alteration Agreement for activities within the tops of banks or outer edges of riparian canopies (whichever is furthest from the streambed) of the Arroyo Grande Creek, Meadow Creek, and Old Los Berros Creek. The County shall adhere to all conditions included within these permits, approvals, and authorizations.

[BR-2] Prior to construction, all riparian and wetland areas shall be shown on all construction plans. All riparian vegetation planned for trimming shall be specified and shown on the construction plans.

[BR-3] Prior to construction, exclusionary fencing shall be erected by the contractor at the boundaries of all construction areas to avoid equipment and human intrusion into adjacent creek/wetland habitats. The fencing shall remain in place throughout construction.

[BR-4] During project activities, all trash that may attract predators shall be properly contained, removed from the work sites and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

[BR-5] To the extent practicable, construction activities within or adjacent to Arroyo Grande Creek, Meadow Creek, and Old Los Berros Creek shall be conducted during the dry season (May 1 through November 1). This will reduce potential impacts to aquatic and semi-aquatic species that might be using the creeks and associated vegetation as movement/dispersal corridors.

[BR-7] If determined to be necessary by the Corps (lead federal agency), the Corps will consult with NMFS and USFWS on behalf of the County for impacts to California red-legged frogs, steelhead, and tidewater gobies. The County will adhere to all conditions included within the Biological Opinions issued for the project.

[BR-8] Before any construction activities begin on the project, a biologist shall conduct a training

session for all construction personnel. The training session shall include a description of species that may be encountered during construction, the importance of these species and their habitat, the general measures that are being implemented to conserve these species as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.

[BR-9] All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 20 meters from any riparian habitat or water body. The County shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the County shall ensure that the contractor has prepared a plan to allow a prompt and effective response to accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

[BR-10] Prior to site disturbance, the County shall print Best Management Practices (BMPs) on all applicable construction plans. BMPs shall be implemented prior to, during, and following construction activities. Measures shall include, but not be limited to the following:

- a. Silt fencing shall be placed along the down-slope side of the construction zone.
- b. A spill and clean-up kit shall be stored onsite at all times.
- c. Temporary and permanent erosion and sedimentation measures shall be implemented (e.g., silt fencing, hay bales, straw wattles, etc.).

[BR-11] During construction, if the work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters (5 mm) to prevent California red-legged frogs, tidewater gobies, and steelhead from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

[BR-12] If a temporary culvert is placed in Arroyo Grande Creek, Meadow Creek, or Old Los Berros Creek, it shall be sized and placed appropriately to allow fish passage throughout construction (maintain 6 inches of depth in the culvert).

[BR-13] If construction activities are conducted during the typical nesting bird season (February 15 – September 15), preconstruction surveys shall be conducted by the County-approved biologist or County Environmental Resource Specialist prior to any construction activity or vegetation trimming to identify potential bird nesting activity, and:

- a. If active nest sites of bird species protected under the Migratory Bird Treaty Act (MBTA) are observed within the vicinity of the project sites, then the projects shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young;
- b. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of either project site, then CDFG shall be contacted to establish the appropriate buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest and achieved independence; and
- c. Active nests shall be documented by a qualified biologist and a letter-report shall be submitted to the County, USFWS, and CDFG, documenting project compliance with the MBTA and applicable project mitigation measures.

**5. CULTURAL RESOURCES -**  
***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** This project is located in an area historically occupied by the Obispeño Chumash. The project area might be considered sensitive for cultural resources due to its close proximity to Arroyo Grande and Meadow Creeks. Some site types are more closely associated with water (such as long-term living or village areas) than others. Prehistoric cultural features not associated with water include many ritual areas, trails, quarry areas, rock art sites, cemeteries, hunting blinds, defensive areas, and others. There are many sites located near extinct water sources. Springs, streams, and creeks come and go over time, and creeks and rivers change their course over time.

The proposed project takes place on the Arroyo Grande levee, a constructed berm immediately adjacent to Arroyo Grande Creek. The Cienega Valley (at the mouth of which the projects lay) would have been an embayment and later marshland in prehistoric times. Before farming and channelization of Arroyo Grande Creek, water meandered and spread across the entire valley floor. In this valley, culturally sensitive areas would be found away from the creek, at higher elevations or in the more stable nearby sand dunes. Sites mapped in this area show a ring pattern around the former marsh.

The projects are not a culturally sensitive area. No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** The project is not considered culturally sensitive because the earth material that will be disturbed is roadway fill and creek bed. No evidence of cultural materials was noted on the property during inspection by County Environmental Resource Specialists. Impacts to historical or paleontological resources are not expected. No impacts to cultural resources are anticipated.

**Mitigation/Conclusion.** No significant impacts to cultural resources are anticipated, and no mitigation measures are necessary.

**6. GEOLOGY AND SOILS -**  
***Will the project:***

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## 6. GEOLOGY AND SOILS -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will result in the removal and replacement of existing culverts and flap gates located in/on the existing levee adjacent to Arroyo Grande Creek. The existing culverts drain Old Los Berros Creek and Meadow Creek into Arroyo Grande Creek. New plastic pipe culverts will be installed into the existing corrugated metal pipes. The existing flap gates at the Sand Canyon site consist of steel "flaps" connected to culverts responsible for draining Meadow Creek. This model is often blocked open by sand or debris which causes back flow through the culvert and flooding of the community. The culvert and flap gate replacements will assist with flood control in the community of Oceano.

The project is located in an area that has high liquefaction potential. The December 22, 2003, San Simeon, California, earthquake caused damage to houses, road surfaces, and underground utilities in Oceano. The community of Oceano is approximately 50 miles (80 km) from the earthquake epicenter. A USGS investigation indicated that the shallow geologic units beneath Oceano are very susceptible to liquefaction. Oceano lies near the western margin of the fault bounded San Luis Obispo/Pismo structural block, an uplifted block forming the core of the San Luis Range (Lettis and Hall, 1994 in Holzer et. al 2004). The Los Osos Fault, a southwest dipping reverse fault, forms the northeast boundary of the domain near Oceano, and the Wilmar Avenue Fault, a northeast dipping reverse fault, forms the southeast boundary of the block (Holzer et. al 2004). However, no damage to the Arroyo Grande Creek levee was reported as a result of the 2003 earthquake. There is no protection from

liquefaction.

The project is located within the County's Flood Hazard combining designation. The project as proposed will have no impacts on soils or geology beyond those of the current flood control structures. Because the culverts and flap gates are similar in size (if not the same) and in the same location as the existing facilities, no adverse erosion, soil scouring or similar impacts should occur.

Some soil erosion, topographic changes, loss of topsoil or unstable soil conditions may result from project-related activities such as vegetation removal, grading, and/or excavation. Best management measures including silt fencing and temporary and permanent erosion and sedimentation measures will minimize potential impacts.

**Impact.** Repair may be warranted if an earthquake damages the levee; however, such repair activities are not anticipated to rise to a level of significance. From a soils and geology standpoint, it is expected that the improved structures will perform the same as the existing system. Some soil erosion, topographic changes, loss of topsoil or unstable soil conditions may result from project activities; however, these impacts would be mitigated for and temporary in nature.

**Mitigation/Conclusion.** Use of Best Management Practices (see mitigation BR-10) should address any potential impacts resulting from erosion.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will temporarily introduce potentially hazardous materials into the area in the form of fuel in construction equipment. All equipment will be staged on top of the levee and no equipment will be allowed to access the creek or creek channel. A spill and clean-up kit will be stored onsite at all times. All fueling and maintenance of vehicles and other equipment and staging areas will occur at least 20 meters from any riparian habitat or water body. Prior to the onset of work, the

County will ensure that the contractor has prepared a plan to allow a prompt and effective response to accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

**Impact.** Because there are no structures within or adjacent to the work site, the risk of a harmful incident is low. The County-operated Oceano airport submitted one comment regarding the project. They specifically requested that orange and white checkered flagging be affixed to the highest point of any crane over 30-feet in height.

**Mitigation/Conclusion.**

[HM-1] If a crane of/over 30 feet in height is used, orange and white checkered flagging will be affixed to its highest point.

No mitigation measures beyond this measure and fuel and lubricant handling precautions listed under biological resources are necessary.

8. NOISE - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project site is located on an existing earthen levee in County Right-of-Way adjacent to the Arroyo Grande Creek. The levee extends east to the Lopez Dam. The project is bordered by the Pacific Ocean and State-owned beach to the west. The area north of the levee contains residential housing, light industrial, and the County-operated Oceano airport. The area south of the levee is mostly agricultural with some single-family residences.

**Impact.** Noise impacts resulting from construction will be of a short duration, during normal work hours, and temporary in nature. It is not expected that County noise standards will be exceeded as a result of the project. The following is one of the exceptions to the Noise Standards from the LUO: Noise sources associated with construction provided such activities do not take place before 7 a.m. or after 9 p.m. on any day except Saturday or Sunday, or before 8 a.m. or after 5 p.m. on Saturday or Sunday. The County will abide by this time-frame during all project activities.

**Mitigation/Conclusion.**

[N-1] Construction activities will not take place before 7 a.m. or after 9 p.m. on any day except Saturday or Sunday, or before 8 a.m. or after 5 p.m. on Saturday or Sunday.

No significant noise impacts are anticipated, and no additional mitigation measures are necessary.

## 9. POPULATION/HOUSING -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The repair and replacement activities associated with the project are not anticipated to result in substantial growth, development, or create a need for substantial housing in Oceano. The project is not anticipated to displace existing housing or people or require construction of replacement housing. Additionally, the project will not result in substantial use of fuel or energy.

**Impact.** The project will have no impact on population or housing.

**Mitigation/Conclusion.** No significant impacts are anticipated, and no mitigation measures are necessary.

## 10. PUBLIC SERVICES/UTILITIES -

*Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>10. PUBLIC SERVICES/UTILITIES -</b> <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<b>g) Other:</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The repair and replacement activities associated with the project will enhance the existing flood protection structures. It is not anticipated that the project will impact fire protection, police protection, schools, roads, solid wastes, or other public facilities. Construction vehicles and equipment may use public roads and/or Highway 1 to access both sites at the beginning and end of project activities. It is not anticipated that this will affect public services/utilities such as fire or police response time. Equipment will be staged in County Right-of-Way or on the airport property during the 30-day project time-frame, further minimizing potential impacts to public services/utilities.

**Impact.** The project will have no impact on public services/utilities.

**Mitigation/Conclusion.** No significant impacts are anticipated, and no mitigation measures are necessary.

<b>11. RECREATION - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
<b>a) Increase the use or demand for parks or other recreation opportunities?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b) Affect the access to trails, parks or other recreation opportunities?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c) Other</b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The levee is zoned as a public facility for storm water purposes. Although it is signed (no trespassing signs citing public and County codes), the levee is used frequently for beach access by pedestrians and equestrians. The County recognizes this and notes that there will be no access for pedestrians or equestrians on the north levee during the project activities for safety reasons. The Oceano Dunes State Vehicular Recreation Area is located west of the project sites. Arroyo Grande Creek occasionally breaches the beach to the Pacific Ocean. However, Arroyo Creek and the lagoon are not open to the public and State park recreationalists stay along the beach area for camping and off-road vehicle activities. Topographically, the lagoon is partially hidden by sand dunes; this may also assist in diverting recreationalists' attention from the lagoon area.

**Impacts.** The project will have no negative impacts on recreation, including users of the adjacent State and County parks. The project will be temporary in nature and disruption of un-official recreation access in the area will be limited. No significant impacts to recreation are anticipated.

**Mitigation/Conclusion.** No significant impacts are anticipated, and no mitigation measures are necessary.

**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Construction vehicles and equipment may use public roads and/or Highway 1 to access both sites at the beginning and end of project activities. It is not anticipated that these trips will affect traffic. Equipment will be staged in County Right-of-Way or on the airport property during the 30-day project time-frame, further minimizing potential impacts to traffic.

**Impact.** Construction vehicle access will be needed temporarily during project construction. Otherwise, the project will have no negative effects on transportation or circulation.

**Mitigation/Conclusion.** No significant impacts are anticipated, and no mitigation measures are necessary.

**13. WASTEWATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**13. WASTEWATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The South San Luis Obispo County Sanitation District is responsible for providing sewage treatment services and effluent and biosolids disposal services for Oceano. The projects are located near the wastewater treatment facility. No portion of either project, including access and/or staging, will affect this facility.

**Impact.** The projects will not generate wastewater, or have an impact on wastewater collection and treatment systems.

**Mitigation/Conclusion.** No significant impacts are anticipated, and no mitigation measures are necessary.

**14. WATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The projects are located at the intersection of Old Los Berros Creek and Arroyo Grande Creek, and the intersection of Meadow Creek and Arroyo Grande Creek Lagoon. The former site is tidally influenced. Water quality at the sites is generally good, although influenced by urban run-off during storm events and subject to degradation from upstream sources.

**Impact.** The projects could result in water quality impacts through dewatering activities, the discharge

of sediments during construction, or the accidental spill of petroleum based fuels or lubricants.

**Mitigation/Conclusion.** Mitigation measures including limiting work to the dry season, fencing project boundaries, fueling and maintaining vehicles and equipment at least 20 meters from riparian habitat and/or water sources, and implementing best management practices to prevent spills and/or erosion, and during dewatering activities (BR- 1, 3, 5, and 9 through 11) will mitigate potential impacts to water quality to a less than significant level.

<b>15. LAND USE - Will the project:</b>		<b>Inconsistent</b>	<b>Potentially Inconsistent</b>	<b>Consistent</b>	<b>Not Applicable</b>
a)	<i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The projects are located on the edge of the urban reserve line for Oceano. The projects will likely require a Streambed Alteration Agreement pursuant to Section 1600 of the Fish and Game Code, authorization pursuant to Sections 401 and 404 of the Clean Water Act, review and possible permitting by the California Coastal Commission, and formal or informal consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. The projects appear to be consistent with the above-mentioned policies and regulations.

**Impacts.** The projects do not propose any new land uses, or perpetuate an inconsistent land use. Project impacts will be temporary in nature and will work to preserve existing surrounding land uses.

**Mitigation/Conclusion.** No significant impacts are anticipated, and no mitigation measures are necessary.

<b>16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:</b>		<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a)	<i>Have the potential to degrade the quality of the environment, substantially reduce the</i>				

**habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?** ☐ ☐ ☒

☐

- b) Have impacts that are individually limited, but cumulatively considerable?**  
**("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)** ☐ ☐ ☒

☐

- c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?** ☐ ☐ ☒ ☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Information", or the California Environmental Resources Evaluation System at: [http://www.ceres.ca.gov/topic/env\\_law/ceqa/guidelines](http://www.ceres.ca.gov/topic/env_law/ceqa/guidelines) for information about the California Environmental Quality Act.

### **Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b><u>Contacted</u></b>	<b><u>Agency</u></b>	<b><u>Response</u></b>
<input checked="" type="checkbox"/>	County Planning Department	
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input checked="" type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input checked="" type="checkbox"/>	Regional Water Quality Control Board	Water quality certification required
<input checked="" type="checkbox"/>	CA Coastal Commission	Pending Consistency Certification
<input checked="" type="checkbox"/>	CA Department of Fish and Game	Stream alteration permit required
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	Oceano Advisory Council	
<input checked="" type="checkbox"/>	Oceano Community Service District	Not Applicable
<input checked="" type="checkbox"/>	U.S. Army Corps of Engineers	Clean Water Act permit required
<input checked="" type="checkbox"/>	U.S. Fish & Wildlife Service, National Marine Fisheries Service Corps to initiate consultation	

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Project File for the Subject Application | <input type="checkbox"/> Solid Waste Management Plan |
|--|--|
- County documents**
- ☐ Airport Land Use Plans
  - ☐ Annual Resource Summary Report
  - ☐ Building and Construction Ordinance
  - ☒ Coastal Policies
  - ☐ Framework for Planning (Coastal & Inland)
  - ☐ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
    - ☐ Agriculture & Open Space Element
    - ☐ Energy Element
    - ☐ Environment Plan (Conservation, Historic and Esthetic Elements)
    - ☐ Housing Element
    - ☐ Noise Element
    - ☐ Parks & Recreation Element
    - ☐ Safety Element
  - ☐ Land Use Ordinance
  - ☐ Real Property Division Ordinance
  - ☐ Trails Plan

- |   |  |
|---|--|
| <input type="checkbox"/> Area Plan and Update EIR                                 | <input checked="" type="checkbox"/> Flood Hazard Maps                                      |
| <input type="checkbox"/> Circulation Study  | <input type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County |
| <u>Other documents</u>  | <input type="checkbox"/> Regional Transportation Plan                                      |
| <input type="checkbox"/> Archaeological Resources Map                             | <input type="checkbox"/> Uniform Fire Code   |
| <input type="checkbox"/> Area of Critical Concerns Map                            | <input type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)       |
| <input type="checkbox"/> Areas of Special Biological Importance Map               | <input type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)       |
| <input checked="" type="checkbox"/> California Natural Species Diversity Database | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Clean Air Plan   |  |
| <input type="checkbox"/> Fire Hazard Severity Map                                 |  |

In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

County of San Luis Obispo Department of Public Works (County). 2010. Biological Assessment for the Sand Canyon and Old Los Berros Culverts Improvement and Sand Canyon Flap Gates Replacement Project, 300354 + 300355. Prepared by the Environmental Programs Division.

Holzer, Thomas L. et. al 2004. Liquifaction-Induced Lateral Spreading in Oceano, California, During the 2003 San Simeon Earthquake. A U.S. Department of the Interior, U.S. Geological Survey report. Prepared for the San Luis Obispo County Planning and Building Department.

## **Exhibit B – Mitigation Summary Table**

[AQ1] During construction/ground disturbing activities, the contractor shall implement the following particulate (dust) control measures. These measures will be included in the contract special provisions. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to commencement of construction.

- a. Reduce the amount of disturbed area where possible
- b. Prevent airborne dust from leaving the site.
- c. Control dust from all dirt stock pile areas.
- d. Implement revegetation (i.e., hydro seeding) as soon as possible following completion of any soil disturbing activities.
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be subject to dust control measures (watering, etc.) or shall be sown with a fast germinating native grass seed and watered until a temporary vegetative cover is established.
- f. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
- g. Ensure that trucks and equipment leaving the site do not carry soil material onto adjacent paved roads; clean adjacent paved roads at the end of each day if visible soil material is carried from the site onto those roads.

[BR-1] Prior to construction, the County shall obtain all necessary permits, approvals, and authorizations from jurisdictional agencies. These may include, but may not be limited to: (1) Army Corps of Engineers, Section 404 Nationwide Permit 43; (2) Regional Water Quality Control Board, Section 401 Water Quality Certification; and (3) the California Department of Fish and Game (CDFG), Section 1602 Streambed Alteration Agreement for activities within the tops of banks or outer edges of riparian canopies (whichever is furthest from the streambed) of the Arroyo Grande Creek, Meadow Creek, and Old Los Berros Creek. The County shall adhere to all conditions included within these permits, approvals, and authorizations.

[BR-2] Prior to construction, all riparian and wetland areas shall be shown on all construction plans. All riparian vegetation planned for trimming shall be specified and shown on the construction plans.

[BR-3] Prior to construction, exclusionary fencing shall be erected by the contractor at the boundaries of all construction areas to avoid equipment and human intrusion into adjacent creek/wetland habitats. The fencing shall remain in place throughout construction.

[BR-4] During project activities, all trash that may attract predators shall be properly contained,

removed from the work sites and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

[BR-5] To the extent practicable, construction activities within or adjacent to Arroyo Grande Creek, Meadow Creek, and Old Los Berros Creek shall be conducted during the dry season (May 1 through November 1). This will reduce potential impacts to aquatic and semi-aquatic species that might be using the creeks and associated vegetation as movement/dispersal corridors.

[BR-7] If determined to be necessary by the Corps (lead federal agency), the Corps will consult with NMFS and USFWS on behalf of the County for impacts to California red-legged frogs, steelhead, and tidewater gobies. The County will adhere to all conditions included within the Biological Opinions issued for the project.

[BR-8] Before any construction activities begin on the project, a biologist shall conduct a training session for all construction personnel. The training session shall include a description of species that may be encountered during construction, the importance of these species and their habitat, the general measures that are being implemented to conserve these species as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.

[BR-9] All fueling and maintenance of vehicles and other equipment and staging areas shall occur at least 20 meters from any riparian habitat or water body. The County shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the County shall ensure that the contractor has prepared a plan to allow a prompt and effective response to accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

[BR-10] Prior to site disturbance, the County shall print Best Management Practices (BMPs) on all applicable construction plans. BMPs shall be implemented prior to, during, and following construction activities. Measures shall include, but not be limited to the following:

- a. Silt fencing shall be placed along the down-slope side of the construction zone.
- b. A spill and clean-up kit shall be stored onsite at all times.
- c. Temporary and permanent erosion and sedimentation measures shall be implemented (e.g., silt fencing, hay bales, straw wattles, etc.).

[BR-11] During construction, if the work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five millimeters (5 mm) to prevent California red-legged frogs, tidewater gobies, and steelhead from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate.

[BR-12] If a temporary culvert is placed in Arroyo Grande Creek, Meadow Creek, or Old Los Berros Creek, it shall be sized and placed appropriately to allow fish passage throughout construction (maintain 6 inches of depth in the culvert).

[BR-13] If construction activities are conducted during the typical nesting bird season (February 15 – September 15), preconstruction surveys shall be conducted by the County-approved biologist or County Environmental Resource Specialist prior to any construction activity or vegetation trimming to identify potential bird nesting activity, and:

- a. If active nest sites of bird species protected under the Migratory Bird Treaty Act (MBTA)

are observed within the vicinity of the project sites, then the projects shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young;

- b. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of either project site, then CDFG shall be contacted to establish the appropriate buffer around the nest site. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest and achieved independence; and
- c. Active nests shall be documented by a qualified biologist and a letter-report shall be submitted to the County, USFWS, and CDFG, documenting project compliance with the MBTA and applicable project mitigation measures.

[HM-1] If a crane of/over 30 feet in height is used, orange and white checkered flagging will be affixed to its highest point.

[N-1] Construction activities will not take place before 7 a.m. or after 9 p.m. on any day except Saturday or Sunday, or before 8 a.m. or after 5 p.m. on Saturday or Sunday.